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*Wants a restart
on Notice of M.P.*

DARBY & DARBY P.C.
805 THIRD AVENUE
NEW YORK, NEW YORK 10022-7513
TELECOPIER NO. (212) 753-6237
TELEPHONE NO. (212) 527-7700

Date: JUNE 4, 1999

Attorney Docket No.: 0885/0D930

TELECOPIER TRANSMISSION COVER SHEET

Phone Number Transmitting To: (703) 308 7751

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: MS. BRIDGET DOUGLAS

CUSTOMER SERVICE CENTER - INITIAL PATENT EXAMINATION DIVISION

Paper(s) Being Transmitted: LETTER AND NOTICE TO FILE MISSING PARTS OF
APPLICATION - FILING DATE GRANTED

Number of Pages Being Transmitted (including cover): FOUR (4)

CERTIFICATION OF FACSIMILE TRANSMISSION

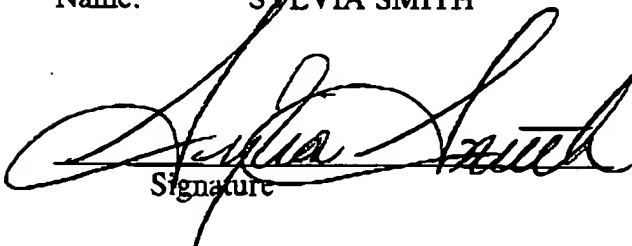
Serial No.: 9/155,740

Filed: N/A

I hereby certified that these papers are being facsimile transferred to the United States Patent and Trademark Office on the date shown below.

Name: SYLVIA SMITH

Date: JUNE 4, 1999


Signature

0885/OD930

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Deborah Ann LEWIS ET AL.

Serial No: 9/155,740

Group Art Unit: N/A

Filed: N/A

Examiner: N/A

For: FRUIT PRODUCTS
-----LETTERUnited States Patents and Trademarks Office
Washington, DC 20231ATTN: Bridget Douglas
Customer Service Center
Initial Patent Examination Division

Dear Ms. Douglas:

Responsive to our telephone conversation this morning, I am enclosing a copy of the Notice to File Missing Parts - Filing Date Granted in the above application.

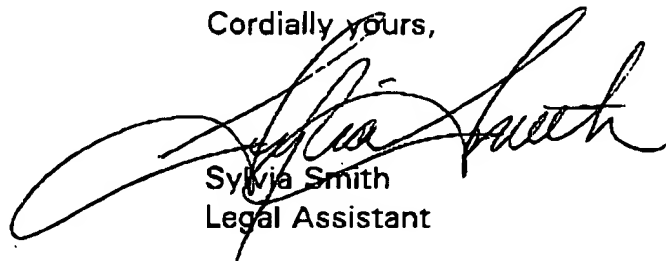
As I explained on the telephone, the filing date was not stated on the Notice and according to 37 C.F.R. §1.5(a), all documents and correspondence sent to the USPTO after the application has been filed must state the serial number and

filing date so that the USPTO will know what application the document or correspondence refers to.

In order to prepare the declaration, the filing date is required. I have been calling the PTO since I received the Notice and that was in April. I respectfully request that a new Notice to File Missing Parts be issued reflecting the official filing date of this application and a new time frame in which to file the declaration and pay the filing fee.

To date, if the present Notice stands, it would be unfair to the applicant in that substantial extension fees may be incurred which would have been avoided if the Notice had stated the filing date.

Cordially yours,

A handwritten signature in black ink, appearing to read 'Sylvia Smith', is written over the typed name and title.

Sylvia Smith
Legal Assistant

M:\081500\0300000014 WPD



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/155,740	00/00/00		J 0685/00900

DARBY & DARBY
 805 THIRD AVENUE
 27TH FLOOR
 NEW YORK NY 10022

DUE: June 21, 1999
 Docketed on 4/12 by [signature] for
 Docketed without file [initials]

DATE MAILED:

NOT ASSIGNED

0000

04/02/99

11-2-99

Attorney
NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required herein to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of **\$65.00** for a small entity in compliance with 37 CFR 1.27, or **\$130.00** for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 887.00

☒ 1. The statutory basic filing fee to:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependant claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
 Initial Patent Examination Division (703) 308-1202